

**Superior Town Council
Town Council Meeting**

**Thursday, March 6, 2008
Superior Senior Center
Superior, Arizona**

M I N U T E S

A. Call to Order

Mayor Hing called the meeting to order at 7:07 p.m.

B. Salute to the Flag

Mayor Hing led the council, staff and audience in the pledge.

C. Opening Prayer

Mayor Hing led the Town Council, Staff and audience in an opening prayer.

D. Roll Call

Members Present: Councilmember Cervantes, Second Vice Mayor Lopez, Mayor Hing, Vice Councilmember Peralta, Councilmember Heglie, First Vice Mayor Valenzuela, Councilmember Marquez

Members Absent: None Absent

A quorum was present and the meeting continued.

E. Consent Agenda

Mayor Hing introduced the items on the consent agenda. The items on the consent agenda for approval were:

Approval of Minutes for Regular Meeting February 21, 2008

Blanket Permit for the Apostolic Assembly of Superior

Proclamation: Community Pride Day

Mayor Hing asked Ms. Anderson to read the proclamation for Community Pride day. In addition to reading the proclamation Ms. Anderson explained that this day would be set aside each year so the community can establish pride and work on activities that will instill pride not just trash clean up eventually this will be a day other community projects will be going on.

Councilmember Peralta made a motion to accept the consent agenda. Councilmember Cervantes seconded the motion. The motion passed unanimously.

F. Communication

Managers Report – Ms. Cordova

Ms. Cordova explained that she had included a copy of her manager's report along with a report of all the projects that are pending and that they are ranked by importance.

Magma Hotel – Ms. Cordova explained that the structure had been torn down and she was awaiting final invoices on the demolition as well as cost reports from staff for securing the location and their time dealing with these issues. She also stated that the Town had transferred funds from the savings account held at the state to cover the incoming expenses.

Other Updates – Ms. Cordova explained that the town attended the CAAG TIP meeting to work with the committee to move the Superior Main St. project up on the priority list. She explained that the town should know if they made the rankings in April after the CAAG Regional Council meeting.

She also stated that the Recreation Committee would be hosting an Easter Egg Hunt on Saturday, March 15, 2008 on Main St.

Call to the Public

Mayor Hing announced the call to the public. He explained that anyone wishing to speak now could only speak directly to the Council and only for items not on the current agenda.

Councilmember Marquez also requested that anyone speaking into the microphone be at least 2 inches away.

Pamela Rabago –commented on the letter that she sent to the Mayor and Council requesting that they accept the resignation of Ms. Cordova. She also stated that she was disappointed to see that an abatement notice has been made on the Uptown Theater. She expressed her concern that the façade is important to the downtowns character. She said that there were grants available and encouraged the Town to assist the property owner with applying for grants.

Fred Miramon – explained that he had two questions for the Mayor and Council. He wanted to know who oversaw the performance of the Town Manager and what is the strategic plan of the manager. He stated that he could not see that the Town Manager was involved with the community. He stated that it is important that the Town Manager be engaged with the community. He encouraged the council to make a responsible

decision.

Karen Afdahl – Asked the council if she (Town Manager) has the heart, and energy to do the hard work needed. She stated that if she did not have the calling for the job she should step down.

Curt Williams – Expressed his concern to save the façade of the uptown theatre. He encouraged the town to find other options to save the building. He also stated that he is not a fan of Dr. Wilt but felt that saving the façade was important to downtown. He also requested that the council accept the resignation of the Town Manager.

Sue Anderson – Commented that many residents have been working on the committees and most have been stonewalled maybe not intentionally. Ms. Anderson she elaborated on the heart, soul and passion that the committee members lend to the town. She commented that Ms. Cordova is probably an effective administrator but is not the right fit for Superior. She encouraged the council to accept the resignation of the Town Manager.

Billy Preciado – Reminded everyone of the Optimist Club Rummage Sale and a benefit horseshoe tournament for David Montano both events would be held on Saturday. He also encouraged the town to work closer with the school and to make the right decision.

Jim Gilbert – Commended the police department for not having anyone on probation who also has a warrant for arrest and for being fully staffed. He also stated that Billy Preciado should be recognized for cleaning 11 senior citizens yards and not accepting a penny. He stated that Mr. Preciado does everything in his power to help the community. He also wished Ms. Cordova good luck on her next position and stated that he felt she will be an asset to another organization.

Public Hearing

Councilmember Heglie made a motion to move into the public hearing. First Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Ms. Cordova explained that this public hearing is to allow people to make arguments for and against the upcoming one time override election. She stated that the election would be held on May 20th, 2008. Mayor Hing and Ms. Cordova explained that the election was needed to allow the town to exceed the expenditure limitation imposed by the state, which is only 1.2 million dollars. Mayor Hing stated that the town can not spend tax payer dollars promoting the election and this public hearing gives residents the opportunity to make their arguments for and against the election.

They also discussed the penalties the town could face should they be penalized for not passing the home rule election in 2007. Mayor Hing also stated that the town can look into making the home rule option permanent so the town does not have to continue to have home rule elections. Discussion continued regarding how and why the town failed to host the home rule election in 2007.

Questions and Arguments regarding the one-time override election:

Jim Gilbert – Asked if the towns books have been balanced and how can the town determine what they need to spend if the books have not been balanced. He suggested that the books be balanced monthly and audited quarterly.

Mayor Hing - stated that if the override election did not pass the town would be forced to operate at the amount set by the state and the town would have to cut services and programs just to operate the basic essential services. He stated that this election would not increase the taxes on the community. Mayor Hing read the summary analysis as an argument for the election.

Curt Williams – Asked what the 2007 budget figured out at how much was the town over in spending from the state required amount.

Sue Anderson – stated that based on the information presented it was the responsible thing to do to vote in support of the override election.

No further comments were made. Ms. Cordova announced that a second required public hearing would be held on Thursday, March 13, 2008 at 6:00 p.m.

Second Vice Mayor Lopez made a motion to close the public hearing. Councilmember Marquez seconded the motion.

Mayor Hing announced that he would like to move agenda item number 6 to be addressed as item number one because the presenter is from out of town and the time needed for other agenda items could be lengthy.

Business

Possible Discussion and/or action on the following

Discuss/Approve/Reject Resolution No. 472. A Resolution of the Mayor and Town Council of the town of Superior, Pinal County, Arizona to support Superior Arboretum Apartments rehabilitation, approving the rehabilitation of the housing in Superior, Arizona to be financed either directly by the Arizona Department of Housing (the Department) or through the Arizona Housing finance Agency (the “Agency”), or through other financing sources – Sean Canty, Project Leader of Rehabilitation of Arboretum Apartments.

Ms. Cordova explained this resolution was in support of rehabilitation of the local senior Arboretum Apartments. She introduced Mr. Canty who is the project leader for this rehabilitation project. Mr. Canty explained that they were applying for grants that would allow the agency to make needed rehabilitation to the apartments. Part of those repairs include fixing the heating and cooling systems, meeting further ADA requirements, window and stucco repairs. He stated that these items would be prioritized based on the funding received. Discussion followed regarding vacancy at

the facility as well as other repairs that are needed. Mayor Hing asked Ms. Cordova to read the resolution. Councilmember Peralta made a motion to approve the resolution and direct staff to write a support letter for the agency. Councilmember Cervantes seconded the motion. The motion passed unanimously.

Councilmember Heglie made a motion to adjourn the meeting to an executive session. Councilmember Peralta seconded the motion. The motion passed unanimously and the meeting adjourned at 8:17 p.m.

At 9:45 p.m. Mayor Hing called the regular meeting back in session.

Discuss/Approve/Reject Request for support for Let's Talk Trash Committee for cleaning campaign of April 5th – Sue Anderson

Ms. Anderson gave a brief presentation regarding the upcoming community pride day. She stated that this cleanup would be town wide and that residents are going to be encouraged to bring their trash to the dumpsters but there would still be available curb side pick up. Ms. Anderson requested that the town provide 5 roll off dumpsters in addition to what is at the transfer station, staffing from public works, and monies for lunch not to exceed \$250. Councilmember Peralta made a motion to approve the town to purchase 5 additional roll offs, provide public works staff time, and \$250 for lunch expenses. Councilmember Heglie seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject support requested by Chamber of Commerce for Apache Leap Days – Hank Gutierrez Chamber President

Mr. Gutierrez gave a brief overview of the festival and explained that the chamber has been working with town staff, public works and the police and fire station on logistics of the event. He explained that there is a lot of moving parts to the event and the chamber expects this event to have a huge turnout for the various events they are hosting.

He explained that all street closure and park permits were submitted to the town staff. He stated that the carnival would be hosted on Main St and the Roosevelt Park would be used to house the carnival workers and their trailers. The following streets will be closed through the following days:

Main (From Lobb to the Dip) – Wednesday, March, 26, 2008 – Monday, March 31, 2008 – for Carnival

Main (Magma to the Lobb) – Friday, March 28, 2008-Sunday, March 30, 2008 for general festival activities.

Mr. Gutierrez confirmed that all the businesses were contacted in regards to the street closures and arrangements have been made with the VFW for their concerns.

He also asked for a variance on the business licenses day permits for the vendors as the current chamber leadership was not aware of the ordinance and did not sell spaces accordingly. He stated that the chamber would make every effort to incorporate this license into next year's vendor agreements.

He also explained that the town can not just give the chamber monies for the festival but requested that the town budget \$500 for additional barricades. In addition to budgeting \$500 for the barricades they were also requesting staff time to assist with bathroom maintenance, supplies and cleaning, and regular trash removal.

First Vice Mayor Valenzuela commended the chamber for the plans but asked that their membership also work on the monitoring of the restrooms and trash so town staff can also enjoy the festival. He also stated that it is only through trial and error that we succeed at these events.

Mr. Gilbert expressed his concerns about the carnival workers being able to camp at the Roosevelt Park. He cited many town ordinances that prohibit this and he also asked that all neighbors be notified that this is going to happen.

Councilmember Valenzuela made a motion to accept the requests of the chamber to include a \$500 budget for barricades, staff resources, trash cans, the variance for vendor business licenses and renting a small roll off for trash collection. Second Vice Mayor Lopez seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject Possible partial use of Town Building for housing Chamber of Commerce office and terms of lease – Becky Brothers

Ms. Cordova explained that she has been working with Chamber Leadership on this proposal and she explained that the chamber's proposal was included in the packet. Mr. Gutierrez with the Chamber of Commerce explained that the chamber would like to co-locate with the public works department in the sanitation building.

He explained that the chambers intention was to staff the office 40 hours a week 9-5 p.m. with volunteers in the community ambassador program. He explained that the volunteers would be able to assist with answering calls and people inquiring about permits when town staff was not available. He explained a vision for the office and stated that some refurbishing would need to be done and that the chamber would provide man power for some of the work and his company Ubiquity Telecommunications was looking into providing a phone system.

Ms. Cordova explained that a lease would need to be drawn up and other logistics discussed. Mr. Gutierrez explained that there are a few things to be discussed and stated he wanted to see this done right with a detailed plan. Discussion followed regarding the NEPEP partnership and other opportunities this co-location would create. Council directed staff to work with the Chamber to develop a lease or agreement and a list of repairs.

Councilmember Peralta made a motion to table the agenda item until a plan is created by staff and the Chamber. First Vice Mayor Valenzuela seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject releasing bond to Superior Highlands II

Ms. Cordova explained that at this time the Superior Highlands have met all of their requirements for the subdivision and the subdivision has been built. She said that Willdan signed off on all requirements and the town can now legally release the bond back to developers who built phase II of the Superior Highlands. She added that at the request of council from the last meeting, she did work with the school on the fence issue which was presented at the last meeting. She stated that the school was still trying to locate the minutes where the agreement was made to repair the fence. Mayor Hing suggested that the town release the bond minus the cost to repair the fence. Council directed Ms. Brothers to get an estimate on the cost to repair the fence. Councilmember Heglie made a motion to release the bond minus the cost to repair the fence. Councilmember Peralta seconded the motion. The motion passed unanimously.

Discuss/Approve/Reject starting abatement of dangerous building process for old Uptown Theatre and other buildings – Rosie Cordova

Ms. Cordova explained that this agenda item was presented to ask whether to start the abatement process on the Uptown Theatre. She explained that this abatement is not a state of emergency but the building is violating several codes and is dangerous to the community.

Mayor Hing explained that this council has been working hard to enforce codes and get the town cleaned up. He explained that the intention is not to tear down buildings but to protect the community and many of these structures have been left to rot by their owners.

Ms. Cordova explained that she did not have any professional estimates but believed the cost to abate the Uptown Theatre will be around \$50,000. Discussion followed regarding Dr. Wilt's letter to the council requesting assistance with grant writing and his intentions to repair the buildings. Ms. Cordova reviewed the legal process with the council on the abatement.

Councilmember Peralta made a motion to start the abatement process on the uptown theatre giving Dr. Wilt 10 days to begin making necessary repairs to the building. Councilmember Heglie seconded the motion. The motion passed unanimously.

Council Comments – *Please Note: Council Comments were made after motions were made regarding the Executive Session Discussion in Public Forum*

Councilmember Peralta

Stated she was sorry to take this action but the current situation is not the best for the town.

Councilmember Heglie

Stated that he would have voted to approve Ms. Cordova's resignation but not to terminate her.

Councilmember Cervantes

Stated that the town needed to take a different direction for the sake of the community and that this was the best possible thing to do.

Councilmember Marquez

Stated that he did not approve with terminating Mr. Cordova. He thought she was doing a wonderful job.

Second Vice Mayor Lopez

Stated that along with Mr. Heglie she did not want to vote for terminating Ms. Cordova but would have voted to approve her resignation. She wished Ms. Cordova well.

First Vice Mayor Valenzuela

No Comment

Mayor Hing

Stated that it would take a long time to see the foundation and structure that Ms. Cordova did for the benefit of the community. He explained that he felt having Ms. Cordova stay in this position would be bad for her and her career. He recognized Ms. Cordova for the things she has assisted the town with. He also stated that Ms. Cordova was trying to bring structure to the groups and committees and was not opposed to them. He explained that while the town is going through these changes with the manager the committees and council would need to be of more assistance. He stated that he knew Ms. Cordova would be successful where ever she moved on to.

J. Executive Session

The Town Council may or may not vote to go into Executive Session pursuant to ARS 38-431.03 (A-1), (A-3) & (A-7)

(A-1) – Personnel

(A-3) – Legal Advise with Attorney

(A-7) – Legal Advice on Sale, Lease, or Purchase of Real Property:

1. Discussion of employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of Rosie Cordova, Town Manager

K. In Public Session

Discussion of employment, assignment, appointment, promotion, demotion, dismissal,

salary, disciplining, or resignation of Rosie Cordova, Town Manager

Councilmember Peralta made a motion to terminate Ms. Cordova as Town Manager as stated by terms in her contract. First Vice Mayor Valenzuela seconded the motion. Mayor Hing asked for vote by rising of the right hand.

The motion passed with Four Ayes: Mayor Hing, Councilmember Peralta, Councilmember Cervantes, First Vice Mayor Valenzuela. Nay Votes: Second Vice Mayor Lopez, Councilmember Heglie, Councilmember Marquez.

Adjournment

Councilmember Cervantes made a motion to adjourn the meeting. Councilmember Heglie seconded the motion. The motion passed unanimously. The meeting was adjourned at 11:04 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Town Council of the Town of Superior held on the 6th Day of March 2008. I further certify that the meeting was duly called and held and that a quorum was present.

/s/ Rosie Cordova
Town Manager/Clerk

These minutes have been transcribed and compiled by Mila Lira
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